

# MEMORANDUM

Agenda Item No. 8(L)(2)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** May 7, 2013

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution designating a portion  
of Miami-Dade County owned  
property identified as Parcel 7 as  
Public Road Right-of-Way for  
the People's Transportation Plan  
Project Entitled Improvements to  
SW 264 Street, from US 1 (SR 5)  
to SW 137 Avenue, in Section  
34, Township 56 South, Range  
39 East

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The accompanying resolution was prepared by the Public Works and Waste Management Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



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R. A. Cuevas, Jr.  
County Attorney

RAC/smm

# Memorandum



**Date:** May 7, 2013

**To:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to be "Carlos A. Gimenez", written over the name in the "From:" field.

**Subject:** Resolution Designating a Portion of Miami Dade County Owned Property Identified as Parcel 7 as Public Road Right-of-Way for the People's Transportation Plan (PTP) Project Entitled Improvements to SW 264 Street, from US 1 (SR 5) to SW 137 Avenue in Section 34, Township 56 South, Range 39 East - Commission District 9

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## **Recommendation**

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution designating a portion of Miami-Dade County owned property identified as Parcel 7, as public road right-of-way. Said parcel is required for road widening, beautification, and right-of-way improvements to the PTP project entitled Improvements to SW 264 Street, from US 1 (SR 5) to SW 137 Avenue (Project).

## **Scope**

The impact of this project is Countywide; however it is located within Dennis C. Moss' Commission District 9.

## **Fiscal Impact/Funding Source**

There is no fiscal impact associated with this item. The total cost of the Project (inclusive of design, construction and right-of-way acquisition of all parcels) is estimated at \$5,250,000.00 and will be funded by the Charter County Transportation Surtax. Once the project is completed, it is estimated that the annual maintenance and operational costs will be \$15,830.00 and \$7,073.00.

## **Track Record/Monitor**

Public Works and Waste Management Department (PWWM) is the entity overseeing this project and the person responsible for monitoring it is Mr. Luis Lacau, PLS, Section Head, PWWM Highway Engineering and Right-of-Way Division.

## **Background**

This Resolution is for the designation as public road right-of-way of a portion of Miami-Dade County owned property identified as Parcel 7. It is one of a total of 16 separate parcels needed by PWWM for programmed improvements along SW 264 Street, between US 1 (SR 5) and SW 137 Avenue. This project consists of the widening of the existing roadway to a 2-lane divided highway and includes a raised landscaped median, bike lanes, on-street parking, sidewalks, curb and gutter, a continuous storm drainage system, signalization, pavement markings and signage, and decorative lighting. It will also provide a safe drop off for students at MacArthur South Senior High.

Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners  
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The area to be designated as road right-of-way is described and illustrated on the parcel map in Exhibit "A", attached herewith. The parent tract for Parcel 7 is under the jurisdiction of the Internal Services Department (ISD). The Directors of ISD and PWWM agree upon the public benefits to be derived from the designation of portions of Parcel 7 for public road right-of-way purposes.



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Alina T. Hudak  
Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** May 7, 2013

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 8(L)(2)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(L)(2)  
5-7-13

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE  
COUNTY OWNED PROPERTY IDENTIFIED AS PARCEL 7  
AS PUBLIC ROAD RIGHT-OF-WAY FOR THE PEOPLE'S  
TRANSPORTATION PLAN PROJECT ENTITLED  
IMPROVEMENTS TO SW 264 STREET, FROM US 1 (SR 5) TO  
SW 137 AVENUE, IN SECTION 34, TOWNSHIP 56 SOUTH,  
RANGE 39 EAST

**WHEREAS**, the Directors of the Public Works and Waste Management Department and Internal Services Department have recommended that a portion of County-owned land identified as Parcel 7 at the intersection of SW 264 Street and SW 139 Avenue, as shown on Exhibit "A", be designated as public road right-of-way to be used for the People's Transportation Plan (PTP) project entitled "Improvements to SW 264 Street, from US 1 (SR 5) to SW 137 Avenue"; and

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby designates and declares the following described lands at the intersection of SW 264 Street and SW 139 Avenue, owned by Miami-Dade County, as public road right-of-way as set forth in the accompanying memorandum and as shown on Exhibit "A" attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman

Lynda Bell, Vice Chair

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

Esteban L. Bovo, Jr.

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of May, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

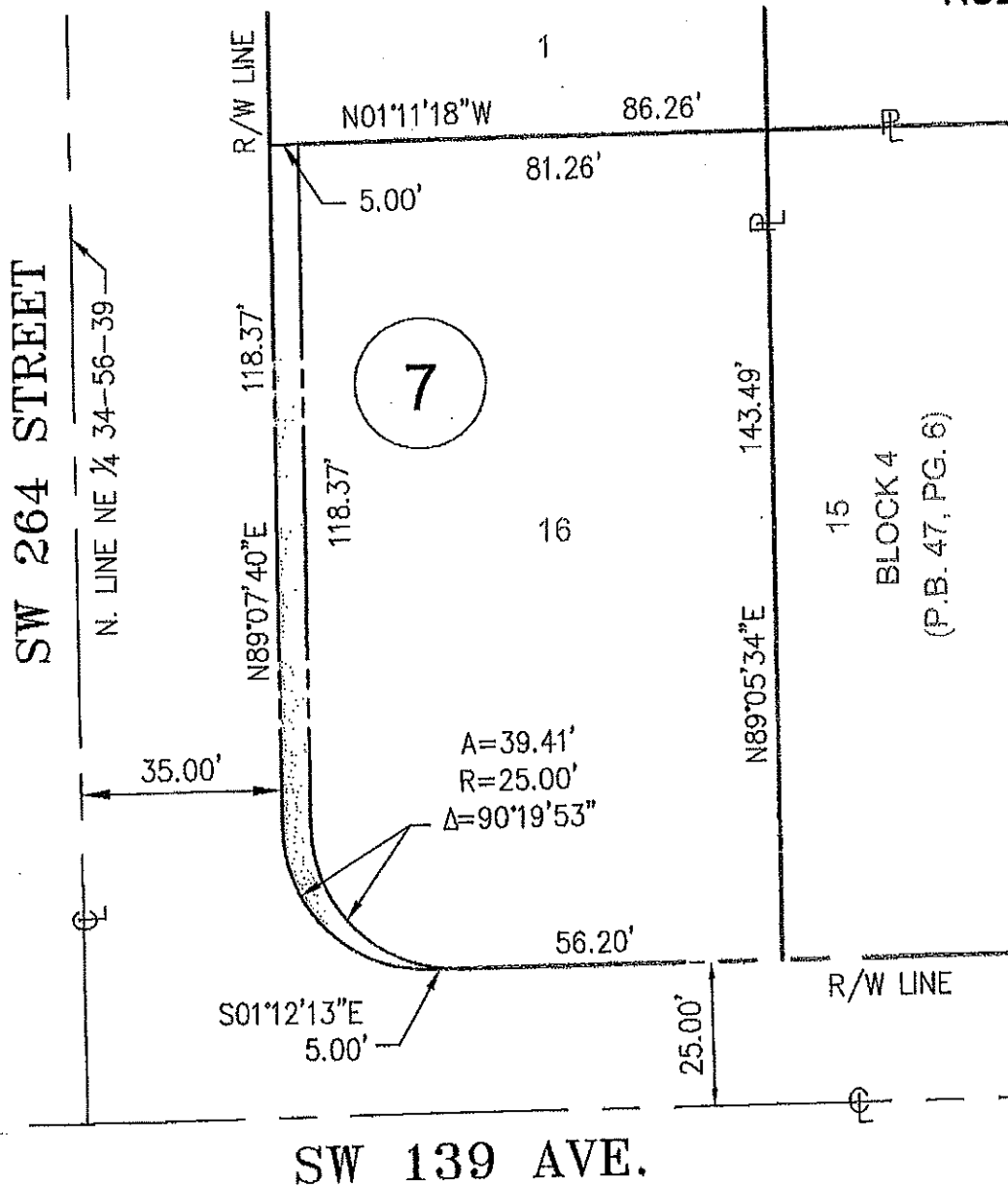
Approved by County Attorney as  
to form and legal sufficiency.

JEB

Debra Herman

# EXHIBIT "A"

SEC 34  
TWP 56 S  
RGE 39 E



## LEGEND

|                   |                       |       |                       |     |               |
|-------------------|-----------------------|-------|-----------------------|-----|---------------|
| BOUNDARY LINE     | AREA TO BE ACQUIRED   | (PT)  | POINT OF TANGENCY     | R   | PROPERTY LINE |
| PROPERTY LINE     | POINT OF BEGINNING    | (PC)  | POINT OF CURVATURE    | (L) | LENGTH        |
| RIGHT-OF-WAY LINE | POINT OF COMMENCEMENT | (PCU) | POINT OF CUSP         | (Δ) | DELTA         |
| CENTER LINE       | MONUMENT LINE         | (PI)  | POINT OF INTERSECTION | (R) | RADIUS        |
|                   | CENTER LINE           | R/W   | RIGHT OF WAY          |     |               |

THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH THIS SKETCH IS TO BE CONSIDERED VOID AND INCOMPLETE.



THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
MIAMI-DADE COUNTY PUBLIC WORKS  
AND WASTE MANAGEMENT DEPT.  
LAND DEVELOPMENT/RIGHT-OF-WAY DIVISION  
ENGINEERING SECTION

PARCEL 7  
SW 264 STREET

|                       |                |
|-----------------------|----------------|
| SCALE: 1" = 30'       | DATE: 01-11-13 |
| CHECKED BY: L. Lacau  |                |
| DRAWN BY: L. Espinosa |                |
| PROJECT: 20040350     | SHEET: 2 of 2  |

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EXHIBIT

"A"

SEC 34

TWP 56 S

RGE 39 E

**Legal Description**  
(Fee Simple)

The North 5.00 feet of Lot 16, Block 4 of SUNNY HAVEN according to the plat thereof as recorded in Plat Book 47, Page 6 of the Public Records of Miami-Dade County, Florida.

AND

The external area formed by a 25.00 foot radius arc, concave to the Southeast, tangent to the South line of the North 5.00 feet of said Lot 16 and tangent to the West line of said Lot 16.



**PWMM**

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
MIAMI-DADE COUNTY PUBLIC WORKS  
AND WASTE MANAGEMENT DEPT.  
LAND DEVELOPMENT/RIGHT-OF-WAY DIVISION  
ENGINEERING SECTION

PARCEL 7  
SW 264 STREET

|                       |                |
|-----------------------|----------------|
| SCALE: 1" = 30'       | DATE: 01-11-13 |
| CHECKED BY: L. Locau  |                |
| DRAWN BY: L. Espinosa |                |
| PROJECT: 20040350     | SHEET: 1 of 2  |